

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NEVENKA DURAS,

Plaintiff(s)

- against -

WILLIAM F. DAWSON, JR.,

Defendant(s)

**NOTICE OF REMOVAL**

William F. Dawson, Jr., defendant in the above-captioned action which was commenced in the Supreme Court of the State of New York for the County of New York, gives notice that he is removing this action from the Supreme Court of the State of New York, County of New York, to this Court pursuant to USC Section 1441. The grounds for removal are as follows:

1. A civil action was commenced and is now pending against the defendant in the Supreme Court of the State of New York, County of New York, which action is entitled: Nevenka Duras v. William F. Dawson, Jr.
2. On or about July 12, 2004 the defendant was served with a summons and complaint, a copy of which is attached herein as Exhibit A. The documents in Exhibit A consist of copies of all process, pleadings and other orders served upon the defendant in this action.
3. The above-described action is a civil action of which this Court has original jurisdiction under 28 USC Section 1332 and is one which may be removed to this Court by the defendant under 28 USC Section 1332 and 1441 in that:
  - a) Plaintiff is noted to be listed on the summons as a citizen of the State of New York residing at 175 East 96<sup>th</sup> Street, Apt. 5S, New York, New York.
  - b) Defendant William F. Dawson, Jr. is a citizen of Connecticut and resides at 48 Keoheram Road, Old Greenwich, Connecticut.
  - c) The incident claimed to have caused injury to the defendant is alleged in the complaint to have occurred in the City and State of New York, in the County of New York. (See paragraph 4, Exhibit A).
  - d) The amount in controversy herein exceeds Seventy-Five Thousand (\$75,000.00) Dollars exclusive of interest and costs,

4. Accordingly, as the parties are of diverse citizenship and the amount in controversy exceeds Seventy-Five Thousand (\$75,000.00) Dollars exclusive of interest and costs, federal jurisdiction is appropriate pursuant to 28 USC Section 1332.

WHEREFORE, the defendant gives notice that the above action now pending against him in Supreme Court of the State of New York of the County of New York is removed to this Court.

DATED: Westbury, NY  
July 21, 2004

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John W. Kondulis, Esq. (JK4978)  
JAMES G. BILELLO & ASSOCIATES (JB7226)  
Attorneys for Defendant  
William F. Dawson, Jr.  
875 Merrick Avenue  
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TO:  
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Nevenka Duras  
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New York, NY 10007  
(212) 619-2534



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JAMES G. BILELLO & ASSOCIATES

Attorneys for the Defendant

William F. Dawson, Jr.

Office and Post Office Address

875 Merrick Avenue

Westbury, NY 11590

(516) 229-4312

To:

Jacob Rabinowitz, Esq.

Attorneys for Plaintiff

Nevenka Duras

30 Vesey Street

New York, NY 10007

Due and timely service of a copy of the within NOTICE OF REMOVAL is hereby admitted.

Dated July 21, 2004

Attorney(s) for Defendant William F. Dawson, Jr.